

Art Unit: 1792

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 and 18-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robbins (U. S. Pat. No. 3,089,325) in view of FRANCE'149 (FRANCE 2 594 149) or Japan'394 (Japan 2001-198394) or France et al. (U. S. Pat. No. 6,840,069).
Re claim 1, 10 and 18, Robbins is cited disclosing an article cleaning apparatus comprising:

an air management mechanism (col. 1, lines 56-62);

a cleaning basket assembly (101);

a fluid regeneration device (60, 61) said fluid regeneration device including a cleaning solvent absorption media that contains a portion of solvent based cleaning fluid to replace the solvent consumed (col. 6, lines 34-40);

a working fluid device (50) coupled to said fluid regeneration device, said basket and said air management mechanism;

a clean fluid device (10) coupled to said cleaning basket assembly and said fluid regeneration device;

a controller (typical) coupled to said air management mechanism, said cleaning basket assembly, said working fluid device, said regeneration device, and said clean fluid device; wherein said controller is configured to control a cleaning process,

Art Unit: 1792

including at least a solvent cleaning process, wherein said solvent cleaning process utilizes a solvent based cleaning fluid that differs from the claim only in the recitation of the solvent comprising cyclic siloxane solvent and a solvent contamination detection device to determine the amount of accumulated contaminant and the detector detecting electromagnetic radiation.. The patents to France, Japan'394 and FRANCE'149 are each cited disclosing a solvent cleaning process, wherein said solvent cleaning process utilizes a solvent contamination detection device to determine the amount of accumulated contaminant in the solvent. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Robbins, to include a contamination detection means as taught by France Japan'98394 or FRANCE'149, for the purpose of ensuring articles are never cleaned in a dirty of contaminated solvent, thereby preventing the contamination of the articles from the dirty solvent. As for the specific solvent being cyclic siloxane solvent and detector or electromagnetic radiation, France discloses the use of various sensors (col. 13, lines 9-21). To employ one over another is deemed to be an obvious matter of design. The same is of little patentable weight in that the use of one solvent over another is deemed to be a mere substitution of equivalents.(see MPEP 2144.06 SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE). Nonetheless, France discloses the solvent (col. 3, lines 14-16, as condensed fluid) as claimed (col. 5, lines 48-60). Re claims 2-6 and 11-14, France discloses the detection device (col. 9, lines 43-60) as claimed. Re claim 7-9 and 15-17, Japan'98394 and FRANCE'149 discloses the controller as claimed. All of the claimed elements were known in the prior art and one skilled in the art could have combined the

elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

3. Applicant's arguments filed April 3, 2008 have been fully considered but they are not persuasive. Applicant argues that the Robbins reference fails to teach the claimed limitation of the cleaning fluid regeneration adsorption media containing a portion of solvent based cleaning fluid to replace the solvent based cleaning fluid consumed. It is the examiner's position that Robbins clearly teaches that the filter is to be replaced (col. 6, lines 70-73), Robbins also states (col. 6, lines 34-40) that the filter contains an activated carbon and diatomaceous earth coating and states that the filter must "be immersed in dry cleaning fluid at all times". The examiners understands this passage to mean that even before a new filter is used to replaced a used filter, the new filter is immersed/saturated/wetted with dry cleaning fluid "in order to prevent destruction of the filtering qualities". This inherently renders the filter to contain a portion of the solvent based cleaning fluid that would replace the consumed solvent.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).